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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **CHRISTIE KAE CLENDENAN**  
13 **aka CHRISTIE KAE QUIJADA**  
14 2331 W. Beechwood Avenue  
Fresno, California 93711

15 **Registered Nurse License No. 458259**  
16 **Nurse Practitioner Certificate No. 6769**  
**Nurse Practitioner Furnishing Certificate No. 6769**

17 Respondent.

Case No. **2011-720**  
**ACCUSATION**

18  
19 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the Executive  
22 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

23 **Registered Nurse License**

24 2. On or about August 31, 1990, the Board issued Registered Nurse License Number  
25 458259 to Christie Kae Clendenan, also known as Christie Kae Quijada ("Respondent"). The  
26 license was in full force and effect at all times relevant to the charges brought herein and will  
27 expire on June 30, 2012, unless renewed.

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1                   **Nurse Practitioner Certificate**

2           3.     On or about September 20, 1993, the Board issued Nurse Practitioner Certificate  
3 Number 6769 to Respondent. The certificate was in full force and effect at all times relevant to  
4 the charges brought herein and will expire on June 30, 2012, unless renewed.

5                   **Nurse Practitioner Furnishing Certificate**

6           4.     On or about July 19, 1994, the Board issued Nurse Practitioner Furnishing Certificate  
7 Number 6769 to Respondent. The certificate was in full force and effect at all times relevant to  
8 the charges brought herein and will expire on June 30, 2012, unless renewed.

9                                   **JURISDICTION**

10          5.     Business and Professions Code ("Code") section 2750 provides, in pertinent part, that  
11 the Board may discipline any licensee, including a licensee holding a temporary or an inactive  
12 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing  
13 Practice Act.

14          6.     Code section 2764 provides, in pertinent part, that the expiration of a license shall not  
15 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or  
16 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board  
17 may renew an expired license at any time within eight years after the expiration.

18                                   **STATUTORY PROVISIONS**

19          7.     Code section 2761 states, in pertinent part:  
20 "The board may take disciplinary action against a certified or licensed nurse or deny an  
21 application for a certificate or license for any of the following:

- 22           (a) Unprofessional conduct.  
23           (f) Conviction of a felony or of any offense substantially related to the qualifications,  
24 functions, and duties of a registered nurse, in which event the record of the conviction shall be  
25 conclusive evidence thereof."

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1 8. Code section 2762 states, in pertinent part:

2 In addition to other acts constituting unprofessional conduct within the meaning  
3 of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person  
licensed under this chapter to do the following:

4 (b) Use any controlled substance as defined in Division 10 (commencing with  
5 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous  
6 device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner  
7 dangerous or injurious to himself or herself, any other person, or the public or to the  
extent that such use impairs his or her ability to conduct with safety to the public the  
practice authorized by his or her license.

8 (c) Be convicted of a criminal offense involving the prescription, consumption,  
9 or self-administration of any of the substances described in subdivisions (a) and (b) of  
this section, or the possession of, or falsification of a record pertaining to, the  
10 substances described in subdivision (a) of this section, in which event the record of  
the conviction is conclusive evidence thereof.

11 **COST RECOVERY**

12 9. Code section 125.3 provides, in pertinent part, that the Board may request the  
13 administrative law judge to direct a licensee found to have committed a violation or violations of  
14 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
15 enforcement of the case.

16 **FIRST CAUSE FOR DISCIPLINE**

17 **(Conviction of Crimes)**

18 10. Respondent is subject to discipline under Code section 2761(f), in that she was  
19 convicted of the following crimes that are substantially related to the qualifications, functions or  
20 duties of a licensed registered nurse:

21 a. On or about February 25, 2004, in the case of *People v. Christie Clendenan*, (Super.  
22 Ct. San Luis Obispo County, Case No. M000349613), Respondent was convicted by the Court on  
23 her plea of nolo contendere of violating Vehicle Code section 23152(b) (driving with a blood  
24 alcohol level of .08% or higher). The circumstances of the crime was that on or about  
25 October 24, 2003, Respondent drove a vehicle while having a blood alcohol level of 0.14%.

26 b. On or about March 30, 2004, in the case of *People v. Christie Clendenan*, (Super. Ct.  
27 San Luis Obispo County, Case No. M000354373), Respondent posted bail for forfeiture, thereby  
28 admitting guilt of violating Penal Code section 647(f) (disorderly conduct). Respondent was

1 ordered to pay a fine in the amount of \$338. The circumstances of the crime was that on or about  
2 February 22, 2004, Respondent was ejected from Mother's Tavern for disorderly conduct/drunken in  
3 public. Respondent was unable to care for her own safety or the safety of others.

4 c. On or about January 28, 2010, in the case of *People v. Christie Clendenan*, (Super. Ct.  
5 San Luis Obispo County, Case No. M000435376), Respondent was convicted by the Court on her  
6 plea of nolo contendere of violating Vehicle Code section 23152(b) (driving with a blood alcohol  
7 level of .08% or higher). The circumstances of the crime was that on or about July 10, 2009,  
8 Respondent drove a vehicle while having a blood alcohol level of 0.13%.

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Dangerous Use of Alcohol)**

11 11. Respondent is subject to discipline under Code sections 2761(a), on the grounds of  
12 unprofessional conduct, as defined in Code section 2762(b), in that on or about October 24, 2003,  
13 and July 10, 2009, Respondent used an alcoholic beverage to an extent or in a manner dangerous  
14 or injurious to herself and the public when she operated a vehicle with a blood alcohol level of  
15 0.08% or higher, as more particularly set forth above in paragraph 10, subdivisions (a) and (c). In  
16 addition, on or about February 22, 2004, Respondent used an alcoholic beverage to an extent or in  
17 a manner dangerous or injurious to herself and the public, as more particularly set forth above in  
18 paragraph 10, subdivision (b).

19 **THIRD CAUSE FOR DISCIPLINE**

20 **(Conviction Involving the Consumption of Alcohol)**

21 12. Respondent is subject to discipline under Code section 2761(a), on the grounds of  
22 unprofessional conduct as defined in Code section 2762(c), in that on or about February 25, 2004,  
23 March 30, 2004, and January 28, 2010, Respondent was convicted of crimes involving the  
24 consumption of alcohol, as more particularly set forth above in paragraph 8.

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**PRAYER**

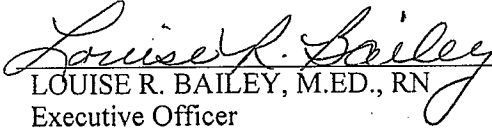
**WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 458259, issued to Christie Kae Clendenan, also known as Christie Kae Quijada;
2. Revoking or suspending Nurse Practitioner Certificate Number 6769, issued to Christie Kae Clendenan, also known as Christie Kae Quijada;
3. Revoking or suspending Nurse Practitioner Furnishing Certificate Number 6769, issued to Christie Kae Clendenan, also known as Christie Kae Quijada;
4. Ordering Christie Kae Clendenan, also known as Christie Kae Quijada, to pay the

Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

5. Taking such other and further action as deemed necessary and proper.

DATED: 2/23/11

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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